

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

CRIMINAL NO. 18-CR-20663

vs.

HON. JUDITH E. LEVY

**D-1 ELISA GRUBBS and
D-2 GABRIEL LELAND,**

Defendants.

**STIPULATION AND PROPOSED ORDER CONTINUING
JURY TRIAL AND OTHER DATES AND FINDING
OF EXCLUDABLE DELAY**

The parties stipulate to continue the jury trial and other dates contained in the Stipulation and Order Continuing Jury Trial and Other Dates and Finding of Excludable Delay entered on April 17, 2020 (R. 40) as follows:

	From:	To:
Final Pretrial Conference/Plea Hearing	May 3, 2021	July 20, 2021
Jury Trial	May 17, 2021	July 26, 2021

The parties further stipulate, and jointly move for the Court to find, that the time period between May 18, 2020¹ and July 26, 2021, qualifies as excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the ends of

justice served by the granting of the requested continuance outweigh the best interests of the public and the Defendants in a speedy trial. The parties' reasons for the continuance and for a finding of excludable delay are as follows:

1. The government has provided discovery to both defendants' counsel, who have been reviewing the same, e.g., to determine whether to file any pretrial motions and to prepare for trial.

2. The parties have sought previous adjournments to allow for coordination of scheduling issues of witnesses and related discovery that the government may need to provide, but the timing of these events had not yet (and still have not) happened.

3. The parties have been working on a resolution of the matter and need additional time to work toward a resolution.

4. In addition, the unprecedented and exigent circumstances created by COVID-19 and related coronavirus health conditions have created a health emergency throughout the United States that has resulted in widespread societal disruption. COVID-19 has infected thousands of people, resulting in numerous fatalities. Although Governor Gretchen Whitmer lifted Michigan's stay-home order (which had been in effect since March 24, 2020), there are still safety precautions in place, e.g., six-feet social distancing, wearing of masks, and limiting in-person contact and meetings, which impacts the parties' ability to proceed with

this case, including preparing for trial.

The parties therefore request that the Court find that the ends of justice served by the granting of this continuance outweigh the best interests of the public and the Defendants in a speedy trial.

IT IS SO STIPULATED.

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Dated: January 4, 2021

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SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

CRIMINAL NO. 18-CR-20663

vs.

HON. JUDITH E. LEVY

**D-1 ELISA GRUBBS and
D-2 GABRIEL LELAND,**

Defendants.

**ORDER CONTINUING JURY TRIAL AND OTHER
COURT DATES AND FINDING EXCLUDABLE DELAY**

The Court has considered the parties' stipulation and joint motion to continue the jury trial and other court dates, and for a finding that the time period from May 18, 2021 and July 26, 2021, qualifies as excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7). For the reasons described in the parties' submission, which is incorporated by reference, and after considering the factors listed in § 3161(h)(7)(B), the Court finds that the ends of justice served by granting the parties' requested continuance outweigh the best interests of the public and the Defendants in a speedy trial and that the time from May 18, 2021 and July 26, 2021, qualifies as excludable delay under § 3161(h)(7).

IT IS THEREFORE ORDERED that the time from May 18, 2021 and July 26, 2021, shall constitute excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the Defendants in a speedy trial.

IT IS FURTHER ORDERED that the trial in this case will be continued and that the following deadlines will apply to these proceedings:

Final Pretrial

Conference/Plea Hearing: July 20, 2021 at 10:30 a.m.

Jury Trial: July 26, 2021 at 8:30 a.m.

Date: April 23, 2021

s/Judith E. Levy
United States District Judge